

April 28, 2006  
Local Government Advisory Committee (LGAC) Meeting

Final Minutes  
March 8 – 10, 2006  
Dallas, Texas

Wednesday, March 8

A. Full LGAC Special Session on the Clean Water Act Needs Survey

Chairman Roy Prescott called the meeting to order and introduced the speaker, Michael Plastino, the lead staff person for the Clean Water Act Needs Survey in the Office of Wastewater Management of the Office of Water.

Mr. Plastino made an extensive presentation on the "Needs Survey" and the possible role of the LGAC in assisting with it. The LGAC reconfirmed the Water Subcommittee's lead to work with EPA's Office of Water on this project. In addition, the LGAC decided to:

- Confirm the continuing need for the LGAC members working on the 2008 Needs Survey (John Duffy, Jimmy Kemp, Mike Linder, Bruce Tobey) to hold conference calls every month, or as needed, to provide the Office of Water with comments on various documents at the beginning stages of their development.
- Endorse a general overall approach that OW could use to work with local governments:
  - set an approach to communicate with local governments;
  - coordinate with EPA Regions to communicate with local governments on the Survey;
  - possibly link this Survey to OW's asset management tools; and
  - analyze the underreporting problem for localities to fully understand it and recommend approaches to fix it.
- Comment on several documents and approaches being developed by OW to move the Survey process forward: (1) process for data entry by local governments to increase usability and ease; (2) the potential survey methodologies for local governments to improve data quality; and (3) OWs' forthcoming approach to making the data available to local governments through the internet.



- Consider other possible roles for the LGAC as the Survey process moved forward:
  - help with development of a uniform full standard of reporting by local governments;
  - help with sending out information to small communities; and
  - help with message development for localities about why this Survey is important.

The LGAC also made these comments to Mr. Plastino:

- State fact sheets should be by county.
- OW should consider small communities as important sources of information in addition to larger communities.
- Analysis on a per capita basis is important for the Survey.

#### **Thursday, March 9**

##### **B. Opening Session/Welcome and Call to Order**

Roy Prescott, Chair of the LGAC, opened the session and welcomed Mayor Richard E. Greene, EPA Region 6 Regional Administrator, to open the meeting. The Mayor provided welcoming remarks and talked briefly about his experiences as Mayor of Arlington, Texas, and about the challenges of his current job given the crises with the Katrina and Rita hurricanes.

##### **C. Presentation and Discussion on Waste and Recycling Issues** **Matt Hale, Director of EPA's Office of Solid Waste (OSW)**

Mr. Hale presented information about the role and activities of his office and engaged the LGAC in a discussion of how OSW and the LGAC can collaborate on waste and recycling/reuse issues. The discussion particularly focused on how Headquarters and Regional EPA offices can work with states and local governments to more effectively focus efforts on recycling and reuse.

LGAC members provided several suggestions to Mr. Hale:

- EPA could revisit the need for more resources focused on recycling/reuse.
- EPA could focus more efforts on building markets for recycled products
- EPA could refocus the nation's attention on recycling through a national advertising campaign.
- More work on recycling could be done to increase actions by state and local governments and by private companies focusing on what is working and what is not working.



- EPA could focus new analyses on costs of landfills compared to costs for recycling.
- More could be done about recycling during large-scale construction efforts.
- More potential could be placed on the business sector without shortchanging the consumer sector.

LGAC agreed to review and provide comments on a new recycling and reuse "toolkit" which will focus on real costs and economics of recycling and reuse. The Office of Solid Waste will transmit the outline and structure of the toolkit first, and then provide the full toolkit in draft for review (most likely in the summer, 2006). LGAC will review whether the content is useful for local officials and whether the presentation format and style is appropriate for the target audiences.

Finally, the LGAC and Mr. Hale discussed a longer-term collaboration in the areas of waste generation, recycling, research on landfills capacity, education and advertising, and incentives for corporations to address waste and recycling and reuse issues. The LGAC tasked the DFO to work with Mr. Hale and his OSW colleagues to develop an approach for structuring this future collaboration and for setting priorities for work.

#### **D. LGAC Recommendations Relative to Recommendations of the Small Communities Advisory Subcommittee (SCAS)**

The LGAC considered and agreed to the following recommendations of the SCAS:

##### **Stormwater Rules (Phase II)**

The LGAC, after a motion and second, agreed to the Subcommittee recommendation that the LGAC Chair would send a letter to the EPA Administrator saying essentially three things:

- EPA's initial efforts to address exemptions to the adopted Storm water Rules, as desired by the oil and gas industry, were appropriate and the agency should be commended for its stand on this issue.
- EPA's effort to address an exemption for the oil and gas industry's construction activities in the new final 2005 Energy law was appropriate; and
- There needs to be a public explanation by EPA on the exemption for the oil and gas industry and how that exemption is directly related to the Energy law.

The letter would also ask: why was the exemption put into the law?; and how is the voluntary effort to implement best practices working relative to the oil and gas industry?



## **Great Lakes**

The LGAC agreed, after a motion and second, to a SCAS recommendation that the LGAC send a letter to the Administrator (copies to Assistant Administrator for Water and Regional Administrator for Region 5) recommending an EPA process for consultation with local governments around the Great Lakes regarding program mandates whether they cost dollars or not.

## **Financial and other assistance to local governments**

The LGAC, after motion and a second, agreed to a SCAS recommendation to work with EPA to develop a compendium, or similar document, consisting of: successful local environmental programs, whether sponsored or funded by Federal, State or local governments; possible funding opportunities; and available compliance assistance. The recommended process agreed to would be initiated by Headquarters working with the Regions to develop a plan for such a product. The discussion on the process focused on the possibility of an EPA region or two initiating the effort by creating an outline of possible programs in their region. The ultimate use of the compendium would be by local governments that may want to model their efforts on a successful program described in the compendium.

## **Overall role of LGAC on commenting on regulations and forthcoming issues**

The LGAC, after a motion and second, agreed to a SCAS recommendation that the LGAC recommend to EPA that LGAC have a formal role in commenting early on regulations, and a role in commenting on issues on the horizon that may either become issues in Congress or regulatory issues.

## **E. LGAC Recommendations Relative to the Indicators Subcommittee**

The Indicators Subcommittee met to set the strategy, discuss comments on the proposed EPA 2006-2011 Strategic Plan Architecture, and set a strategy for an LGAC approach to address the forthcoming EPA Report on the Environment.

## **Actions to comment on EPA Strategic Plan Architecture**

The LGAC agreed, after a motion and a second, to the following recommendations of the Indicators Subcommittee:

1. by March 9 – Janet Weiner of HQ staff to send reminder e-mail to LGAC members requesting comments by March 15;
2. by March 15 – LGAC Indicators Subcommittee member comments should be sent to EPA HQ, with overall letter drafted by Bruce Tobey;
3. by March 21 – Janet would e-mail draft of complete letter with comments to the whole LGAC for comment by March 25; and



### **Approach to the Forthcoming EPA Report on the Environment (ROE)**

The LGAC agreed, after a motion and a second, to the following recommendations of the Indicators Subcommittee:

- HQ DFO should pull together the LGAC recommendations on how the EPA should roll-out the draft ROE for comments in June, 2006, and roll-out of the 2007 final report.
- The LGAC will send a head's-up letter and 2<sup>nd</sup> letter, before the draft ROE is out for review in June, 2006, to all organizations to which the LGAC members belong encouraging those organizations to comment on the draft report summary and full document.
- LGAC Chair letter to the Regional Administrators requesting that they do outreach to local government organizations and local governments throughout each Region's jurisdiction to assist local governments in commenting on the draft ROE in June, 2006.
- LGAC should review its own previous recommendations on the draft EPA ROE of 2003 and update them to communicate to EPA officials who are writing and planning for the distribution of the draft ROE in 2006 and final ROE in 2007.

The DFO and Janet Weiner of HQ staff will finalize the list of all organizations that LGAC members belong to by sending out the current draft of the list to all LGAC members for correction.

### **F. LGAC Recommendations relative to the Water Subcommittee**

The LGAC reconfirmed its commitment, based on recommendations of the Water Subcommittee, to complete: the case studies on drinking water full-cost pricing, a video on asset management, and a final package for use by local governments. The LGAC agreed that the Water Subcommittee would have the lead for producing these products in consultation with all members.

### **Case Histories for Full-cost Pricing**

The LGAC appreciated the work on the interviews conducted so far and agreed with the Subcommittee's assessment that the four completed interviews were done well. The Committee agreed with the Subcommittee recommendation that EPA staff look into putting an LGAC and EPA logo on the final versions.



## **Video**

LGAC, in addition to agreeing with the Subcommittee that EPA complete a final video, agreed that Committee members would submit, over the next two weeks, nominations of Mayors and other officials to be interviewed, and possible local stories, for the video.

The LGAC agreed with the Subcommittee recommendations that these are the following goals for the video:

- Stimulate action by local governments;
- Show that the results of "Asset Management" can be positive for "your" locality; and
- Clearly demonstrate how "Asset Management" is better than "Crisis Management."

## **Final Package for Use by Local Governments**

The LGAC agreed with the Water Subcommittee recommendation, which was the same as that presented by Ron Slotkin of EPA to the Subcommittee, to develop a package that includes the case studies, the video and other key information on asset management and full-cost pricing.

## **G. Public Comment Period**

Donna Chatham of the Association of Rural Communities in Texas was the only speaker from the public. She discussed her organization's purpose and some key accomplishments and also described some of her organization's work with the state of Texas.

## **H. Presentation on the United States Conference of Mayor's National City Water Survey Results by Mayor Dave Wallace, Sugar Land, TX**

Mayor Wallace presented the results of the National City Water survey and took questions. The presentation and the survey focused on three sets of local water issues: water supply and wastewater infrastructure and financing; adequacy or inadequacy of water supply in the future; and conservation efforts in place or planned.

## **I. Presentation on the Regional response to the Katrina and Rita hurricanes by Mayor Richard E. Greene, Regional Administrator, Region 6**

Mayor Greene presented the Region 6 actions before, during and after the Katrina and Rita hurricanes. His presentation and discussion session focused comprehensively on



an aspect of the problem was that the weather was not  
hurricanes.

**J. Presentation on Texas' Best Sustainable Practices in Frisco, TX, by Ryan Middleton**

Mr. Middleton discussed the best practices for building design the City of Frisco has put into local law and practice.

**K. Presentation on "Blue Skyways Collaborative" by Carl Edlund, Region 6**

Mr. Edlund described this nationwide initiative to address clean air and energy conservation objectives focusing particularly on the central part of the United States from Minnesota to Texas primarily in contiguous states to interstate route 35. He particularly focused on how the public and private sectors are collaborating relative to the transportation portions of the economy.

**L. Presentations on State/Local Collaboration Chaired by Mayor Jerry Johnston**

Mayor Jerry Johnston of Braman, OK, lead LGAC member for this session, opened by discussing how well Region 6 states are working with their localities on environmental issues. He then introduced Ms. Tamra-Shae Oatman to discuss successes and issues in Texas, Ms. Judy Duncan to discuss successes and issues in Oklahoma, and Mr. John Promise to discuss successes and issues in North Central Texas. Each presenter presented the issues in their jurisdiction and had an open discussion with the LGAC membership.

**Friday, March 10, 2006**

Roy Prescott opened the session and introduced the Honorable Clarence Brown, Commissioner of Bartow County, Georgia, to lead the next session of the LGAC meeting.

**M. Bartow County, Georgia, Environmental Management System**

County Commissioner Clarence Brown, of Bartow County, Georgia, opened by discussing how well Region 6 states are working with their localities on environmental issues. He then introduced Rita Wayco of EPA's Region 4, who made a presentation on Bartow County's Environmental Management System, with the assistance of Connie Dempsey, also of Region 4.



**N. Steering Committee for the LGAC**

The LGAC agreed, after a motion and second, that the Steering Committee would meet by conference call monthly, organized by the DFO. Steering Committee members are: Roy Prescott, Ivan Fende, Jerry Griffin, Paula Hertwig-Hopkins, Steve Jenkins, Mike Linder, Karen Martynick, and Bruce Tobey.

**O. Other Recommendations**

The LGAC made three additional recommendations to EPA:

- That speakers at future LGAC meetings be senior EPA managers
- The DFO supply the LGAC with a schedule of EPA-sponsored meetings around the country, whether the meetings are sponsored by Headquarters or the Regions.
- A full LGAC meeting would be held in November, 2006, in Atlanta, Georgia, in the EPA Regional Offices.

**P. Adjournment**

Chairman Roy Prescott adjourned the meeting at 11 a.m.

Submitted: Pamela A. Luttner  
Pamela Luttner, DFO

Date: 4/28/06

Approved: Roy Prescott  
Roy Prescott, Chairperson  
Local Government Advisory  
Committee

Date: May 12 2006



Committee Members	EPA Representatives	Members of the Public
Honorable Clarence Brown	Israel Anderson	Tasha Burns
Mr. John Duffy	Javier Balli	Donna Chatham
Mr. Ivan Fende	Ruben Casso	Judy Duncan
Mr. Jerry R. Griffin	Connie Dempsey	Ryan Middleton
Mr. Elam Herr	Carl Edlund	Tamra-Shae Oatman
Ms. Paula Hertwig Hopkins	Mark Flory	John Promise
Honorable Randy Johnson	David Gray	Mayor David Wallace
Mr. John H. Muller	Richard E. Greene (RA for	
Honorable Kenneth W. Fallows	Region VI).	
Mr. James L. Gitz	David Gutro	
Mr. Lurlin Hoelscher	Matt Hale	
Mr. Steve Jenkins	Carmen Henning	
Honorable Jerry Edward Johnston	Paulette Johnsey	
Mr. Jimmy W. Kemp	Barbara Keeler	
Honorable Karen L. Martynick	Cathy Lebertz	
Mr. Joe J. Palacios	Pamela Luttner	
Mr. Roy Prescott	Michael Plastino	
Honorable Bruce Tobey	Patty Senna	
Honorable Melanie A. Worley	Roy Simon	
	Rhonda Smith	
	Clovis Steib	
	Darrin Swartz-Larson	
	Ginny Vietti	
	Rita Wayco	
	Janet Weiner	